

Notice of Allowability**Application No.**

09/784,865

Applicant(s)

CHING ET AL.

Examiner

JEAN B. FLEURANTIN

Art Unit

2162

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERIT IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 06/04/2009.
2. ☒ The allowed claim(s) is/are 1-4, 16-24 and 27.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 06/04/2009.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

/Jean B. Fleurantin/
Primary Examiner, Art Unit 2162

DETAILED ACTION

1. This is in response to communication on 06/04/2009.

2. The following is the status of claims:

Claims 16-27 have been added. The Examiner discusses the newly added claims set forth in sections 4 and 5.

Claims 5-15, 25 and 26 have been canceled.

Claims 1-4, 16-24 and 27 remain pending for examination.

Response to Arguments

3. Applicant's arguments, filed on 06/04/2009, with respect to the pending claims have been fully considered are persuasive, as a result, the amendment to the claims overcome the rejection. Therefore, the rejection of the last Office action has been withdrawn.

EXAMINER'S AMENDMENT

4. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Joseph A. Sawyer, Jr. (Reg. No. 30,801) on June 04, 2009.

The application has been amended as follow:

In the claims,

Cancel claims 5, 6, 25 and 26

Replace the old versions of claim 1 to new versions

Claim 1

A computer implemented method of synchronizing files between a central site and a plurality of remote sites;

wherein the computer performs the following functions comprising:

(a) providing a list of files to the plurality of remote sites by the central site,

(b) reporting which of the files from the list of files are missing by each of the plurality of remote sites to the central site; and

(c) determining within the central site which of the files from the list of files needs to be sent to each of the plurality of remote sites;

wherein the list of files comprises a loadlist;

wherein each of the files in the loadlist are date and time stamped.

Replace the old versions of claim 17 to new versions

Claim 17

A system for synchronizing files comprising:

a central site including a first processor, said processor first processor including the central site including a file system synchronization (FSS) helper application and an automated central site operations (ACSO) mechanism for transmitting a list of files; and

at least one remote site, the at least one remote site including a second processor, said second processor including a file system synchronization remote operating mechanism (FSS RSO), wherein the FSS RSO mechanism creates a group of files it will need based upon the transmitted list of files, wherein the at least one remote receives the transmitted list of files; wherein the remote site reports which of the files from the list of files are missing to the central site, wherein the central site determines which of the files from the list of files needs to be sent to the at least one remote site.

Replace the old versions of claim 21 to new versions

Claim 21

A computer program product, tangibly stored on a computer storage for synchronizing files between a central site and a plurality of remote sites, the product comprising instructions to cause a processor to:

- (a) providing a list of files to the plurality of remote sites by the central site;
- (b) reporting which of the files from the list of files are missing by each of the plurality of remote sites to the central site; and
- (c) determining within the central site which of the files from the list of files needs to be sent to each of the plurality of remote sites;

wherein the list of files comprises a loadlist;

wherein each of the files in the loadlist are date and time stamped.

REASONS FOR ALLOWANCE

5. With respect to claims 1-6, 17-19, 21--26 are allowed over the prior art of record.

The following is an examiner's statement of reasons for allowance:

With respect to the independent claims 1 and 21, the claimed features "providing a list of files to the plurality of remote sites by the central site, wherein the list of files comprises a loadlist; wherein each of the files in the loadlist are date and time stamped" in conjunction with other elements of the independent claims are not suggested, anticipated or found to be obvious over the prior art made of record. With respect to the independent claim 17, the claimed features "a file system synchronization (FSS) helper application and the at least one remote site including a second processor, said second processor including a file system synchronization remote operating mechanism (FSS RSO), wherein the FSS RSO mechanism creates a group of files it will need based upon the transmitted list of files" in conjunction with other elements of the independent claims are not suggested, anticipated or found to be obvious over the prior art made of record.

The dependent claims, being definite, further limiting, and fully enabled by the specification are also allowed.

The closest prior art, Bell et al., USPT No. 5,758,150 relates to the field of computer database systems.

Gayman, USPT No. 6,256,673 relates to a multicast of computer files from one central data server to one or more remote client machines over a computer network but fails to teach the above limitations.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

CONTACT INFORMATION

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to JEAN B. FLEURANTIN whose telephone number is (571)272-4035. The examiner can normally be reached on 10:00 to 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JOHN E. BREENE can be reached on 571 - 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Jean B. Fleurantin/
Primary Examiner, Art Unit 2162